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Docket No. 1210/69014-A/GJG/BJA

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kiran K. Chada et al.

Serial No.: 10/630,423 Examiner: G. Chandra

Filed : July 29, 2003 Art Unit: 1646

For : A METHOD OF IDENTIFYING ADIPOCYTE SPECIFIC GENES,
THE GENES IDENTIFIED, AND THEIR USES

1185 Avenue of The Americas
New York, New York 10036
May 1, 2008

Mail Stop Amendment
Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Sir:

COMMUNICATION IN RESPONSE TO APRIL 1, 2008 OFFICE ACTION

This is a response to the Office Action issued April 1, 2008 in connection with the above identified application. A response to the April 1, 2008 Office Action is due May 1, 2008. Accordingly, this Communication is being timely filed.

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Species Election

In the April 1, 2008 Office Action, the Examiner required an election of a combination of two species for the elected Group I invention, claims 1-9, from the following four (4) groups:

- a) wild type mice
- b) HMGI-C -/- mice
- c) ob/ob mice
- d) HMGI-C-/- ob/ob mice

In response to this species election requirement, applicants hereby elect for initial examination species b) and d), i.e. HMGI-C -/- mice and HMGI-C-/- ob/ob mice. Applicants note that elected claims 1, 2, 3, 5, 8 and 9 encompass the elected species.

Applicants understand that on allowance of a generic claim they will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of the allowable generic claim.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.



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No fee is deemed necessary in connection with the filing of this Response. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125

Respectfully submitted,

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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Gary J. Gershik 5/1/00
Gary J. Gershik
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Date